

## HOUSE BILL NO. 185

INTRODUCED BY S. GALLUS, BUZZAS, P. CLARK, FUCHS, GOLIE, GUTSCHE, HARRINGTON, KEANE,  
LASLOVICH, LINDEEN, SHEA, SHOCKLEY, TROPILA, YOUNKIN

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT A PERSON 17 YEARS OF AGE WHO  
LAWFULLY PURCHASES A YOUTH COMBINATION LICENSE BUT WHO REACHES 18 YEARS OF AGE  
DURING THE LICENSE YEAR MAY LEGALLY HUNT OR FISH WITH THE LICENSE; REMOVING THE  
TERMINATION DATE APPLICABLE TO THE YOUTH COMBINATION SPORTS LICENSE; AMENDING  
SECTION 87-2-805, MCA; REPEALING SECTION 4, CHAPTER 568, LAWS OF 1999; AND PROVIDING AN  
IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**SECTION 1. SECTION 87-2-805, MCA, IS AMENDED TO READ:**

**"87-2-805. ~~(Temporary)~~ Persons under eighteen years of age -- youth combination sports license.**

(1) Resident minors who are 12 years of age or older and under 15 years of age may fish and may hunt upland game and migratory game birds during the open season with only a conservation license. Resident minors who are 15 years of age may hunt migratory game birds with only a conservation license. Resident minors who are under 12 years of age may fish without a license. A nonresident person under 15 years of age may not fish in or on any Montana waters without first having obtained a Class B or B-4 fishing license unless the nonresident person under 15 years of age is in the company of an adult in possession of a valid Montana fishing license. The limit of fish for the nonresident person and the accompanying adult combined may not exceed the limit for one adult as established by law or by rule of the department.

(2) A resident, as defined by 87-2-102, under 15 years of age may purchase Class A-3 and A-5 licenses at a price equal to one-half the fee paid by a resident who is 15 years of age or older and under 62 years of age.

(3) (a) A resident who is 12 years of age or older and under 18 years of age may purchase a youth combination sports license at a price that, rounded to the nearest dollar, is 46% of the fee paid for the Class AAA combination sports license by a resident who is 18 years of age or older and under 62 years of age.

(b) The youth combination sports license includes:

- (i) a conservation license;
- (ii) a fishing license;
- (iii) an upland game bird license;
- (iv) an elk license; and
- (v) a deer license.

(c) A resident who is 15 years of age or older and under 18 years of age may purchase a Class A fishing license at a price that is 50% of the fee paid by a resident who is 18 years of age or older and under 62 years of age.

(d) A resident who is 15 years of age or older and under 18 years of age may purchase a Class A-1 upland game bird license at 50% of the fee paid by a resident who is 18 years of age or older and under 62 years of age.

(e) A person who lawfully purchases a youth combination sports license at 17 years of age, but who reaches 18 years of age during that license year, may legally use the license during that license year.  
A person who is 18 years of age or older who hunts or fishes using the a youth combination sports license purchased after the person reaches 18 years of age is guilty of a misdemeanor and shall be subject to any of the following penalties by the sentencing court:

(i) revocation of the person's hunting and fishing privileges for at least 5 years, revocation of the person's hunting and fishing privileges for more than 5 years, or revocation of the person's hunting and fishing privileges for life; and

(ii) a monetary fine of not less than \$500 and not more than \$5,000 in addition to the fine imposed on a person under this chapter for the specific hunting or fishing violation.

(f) This section does not prohibit a resident minor from purchasing any individual licenses for which the minor may be eligible under this chapter if the minor does not purchase the youth combination sports license. ~~(Terminates February 28, 2002--sec. 4, Ch. 568, L. 1999.)~~

~~87-2-805. (Effective March 1, 2002) Persons under fifteen years of age. (1) Resident minors from 12 years through 14 years of age may fish and may hunt upland and migratory birds during the open season with only a conservation license. Resident minors under 12 years of age may fish without a license. However, no nonresident person under the age of 15 years may fish in or on any Montana waters without first having obtained a Class B or B-4 fishing license unless the nonresident person under the age of 15~~

1 years is in the company of an adult in possession of a valid Montana fishing license. The limit of fish for  
2 the nonresident person and the accompanying adult combined may not exceed the limit for one adult as  
3 established by law or by rule of the department.

4 ~~———(2) Residents, as defined by 87-2-102, under the age of 15 years may purchase Class A-3 and~~  
5 ~~A-5 licenses at a price equal to one-half the fee paid by a resident who is 15 years of age or older and~~  
6 ~~under 62 years of age."~~

7  
8 NEW SECTION. **Section 2. Repealer.** Section 4, Chapter 568, Laws of 1999, is repealed.

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10 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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